

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1259

Introduced by Assembly Member Arambula

February 27, 2009

An act to add Section 9114.5 to the Welfare and Institutions Code, relating to area agencies on aging.

LEGISLATIVE COUNSEL'S DIGEST

AB 1259, as amended, Arambula. Area agencies on aging: federal funding allocations.

Under existing law, the California Department of Aging administers the federal Older Americans Act in California. Pursuant to this federal act and the *Mello-Granlund* Older Californians Act, the department allocates federal funds, in accordance with prescribed funding formulas, to area agencies on aging in order to provide an array of services to seniors.

Existing regulations provide that, except as prescribed, specified federal Older Americans Act funds allocated to an area agency on aging that remain unencumbered or unexpended at the end of the fiscal year for which the allocation was made shall revert to the department for reallocation to the area agencies on aging.

This bill would, notwithstanding any other provision of law or regulation, permit an area agency on aging to carry over, for future use, ~~any federal funds allocated to that agency pursuant to the federal Older Americans Act that remain unexpended or unencumbered at the end of the fiscal year for which the funds were allocated~~ *up to 5% of its annual total baseline allocation to fund prescribed purposes. This bill would*

prohibit an area agency on aging from using the carried over funds to increase baseline services.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9114.5 is added to the Welfare and
2 Institutions Code, to read:
3 9114.5. (a) Notwithstanding any other provision of law or
4 regulation, the department shall permit ~~an~~ *each* area agency on
5 aging to carry over, for future use, ~~any federal funds allocated to~~
6 ~~that agency pursuant to the federal Older Americans Act (42 U.S.C.~~
7 ~~Sec. 3001, et seq.) that remain unexpended or unencumbered at~~
8 ~~the end of the fiscal year for which the funds were allocated. up~~
9 ~~to 5 percent of its annual total baseline allocation under Titles III~~
10 ~~and VII of the federal Older Americans Act (42 U.S.C. Sec. 3001~~
11 ~~et seq.).~~
12 (b) *The agency shall not use the carried over funds to expand*
13 *baseline services. The carried over funds shall be used only for*
14 *the following purposes:*
15 (1) *The purchase of equipment that enhances the delivery of*
16 *services to the eligible service population.*
17 (2) *Home and community-based projects, approved in advance*
18 *by the department, that are designed to address the unmet needs*
19 *of the eligible service population identified in the area plan.*
20 (3) *Innovative pilot projects, approved in advance by the*
21 *department, that are designed for the development or enhancement*
22 *of a comprehensive and coordinated system of services as defined*
23 *in subdivisions (a) and (b) of Section 1321.53 of Title 45 of the*
24 *Code of Federal Regulations.*